

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

*Dated
Susan J. Dlott
Feb 3, 2004*

MOUNTAIN TOP BEVERAGE GROUP, : CASE NO. C-1-01-832
INC., :

Plaintiff,

District Judge Susan J. Dlott

v.

WILDLIFE BREWING N.B., INC., et al., :

Defendants. :

MOTION TO STAY PROCEEDINGS
IN DISTRICT COURT PENDING
APPEAL

Now comes Plaintiff, Mountain Top Beverage Group, Inc., by and through counsel, and respectfully requests that the Court stay all proceedings in the District Court pending Plaintiff's appeal of this Court's November 21, 2003 decision granting summary judgment in favor of Defendants on Plaintiff's claims. A brief memorandum in support is attached hereto.

Respectfully submitted,

CHERNESKY, HEYMAN & KRESS P.L.L.

/s/ Thomas P. Whelley II

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